

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EVERT SPELLS,

Plaintiff,

v.

BRAD SMITH, et al.,

Defendants.

Case No. C 13-4102 KAW (PR)

ORDER OF DISMISSAL

Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights action under 42 U.S.C. § 1983. On October 11, 2013, the Court dismissed the complaint with leave to amend. (*See* Docket No. 6.) The Court advised Plaintiff that if he failed to file an amended complaint within twenty-one days from the date the order was filed, i.e., no later than November 1, 2013, the Court would dismiss this action without prejudice. (*See id.* at 3.)

The deadline has since passed, and Plaintiff has not filed an amended complaint. Accordingly, this action is DISMISSED without prejudice.

IT IS SO ORDERED.

Dated: 11/27/13


KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE